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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,447	09/19/2003	Chai Kuei Hsieh	1586AAB	4528

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EXAMINER

SMITH, JAMES G

ART UNIT PAPER NUMBER

3765

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,447

Applicant(s)

HSIEH, CHAI KUEI

Examiner

James G Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Read (D149,517).

Read discloses a garment hanger with a frame including two lateral side portions for engaging shoulder portions of garments, an intermediate neck portion that transitions into a more narrow upper neck portion, and means for attaching the hanger to supporting members. The frame is constructed of a peripheral beam having a non-circular cross section reinforcing the frame and increasing the bending strength of the frame. With respect to Claim 2, the peripheral beam includes a T-shaped cross section having at least one horizontal bar and at least one vertical bar. With respect to Claim 3, the horizontal members forming the neck portion of the frame are connected horizontally with at least one rod. With respect to Claim 4, the frame includes at least one hook portion attached to the lateral side portions for hanging objects thereon.

3. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Lyons (2,637,472).

Lyons discloses a garment hanger having a frame formed by a peripheral beam for supporting garments and a snap ring provided on the peripheral beam with a space formed therein to receive a supporting member. The snap ring has a catch member on one end and a complementary hook member on the other end for locking the frame to support members. The catch and hook members are separable to form a passage for the supporting members to pass through.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over (Read D149,517) in view of Woodhull (3,666,149). Read essentially teaches the invention of Claim 5, but fails to teach the attaching means being a snap ring with a space for receiving the supporting members. Woodhull discloses the use of a snap ring member in place of the traditional hook member of a garment hanger for securely engaging the hanger to a supporting member. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have replaced the traditional hook member on the hanger of Read with a snap ring as taught by Woodhull to enable a garment hanger to be securely attached to a supporting member.

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Read (D149,517) in view of Lyons (2,637,472). Read essentially teaches the invention of Claims 5 and 6, but fails to teach the attaching means being a snap ring with a space for receiving the supporting members. Lyons discloses a garment hanger with a snap ring member in place of a traditional hook member for securing the hanger to a supporting member. The snap ring disclosed by Lyons has a catch member on one end and a complementary hook member on the other end for locking the frame to support members. The catch and hook members are separable to form a passage for the supporting members to pass through. It would have been obvious to

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one of ordinary skill in the art at the time the invention was made to modify the hanger of Read to include a snap ring in place of a traditional hook member to more securely attach the garment hanger to a supporting member.

7. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lyons (2,637,472) in view of Read (D149,517). Lyons discloses a garment hanger with a snap ring portion in place of the traditional hook portion for engaging supporting members. However, Lyons fails to teach the frame structure of the hanger including two lateral portions for engaging shoulder portions of a garment, an intermediate neck portion that transitions into a more narrow upper neck portion, and the cross section of the frame being non-circular. Read discloses a garment hanger with a frame including two lateral side portions for engaging shoulder portions of garments, an intermediate neck portion that transitions into a more narrow upper neck portion, and means for attaching the hanger to supporting members. The frame is constructed of a peripheral beam having a non-circular cross section reinforcing the frame and increasing the bending strength of the frame. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Lyons in Read to make a stronger hanger that is positively securable to a support member. With respect to Claim 9, the hanger of Lyons includes a T-shaped cross section with at least one horizontal bar and one vertical bar. With respect to Claim 11, the hanger of Lyons includes at least one hook attached to the lateral side portions for hanging objects. With respect to Claim 10, the hanger of Lyons includes a horizontal member connecting the vertical portions of the neck portion.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G Smith whose telephone number is 571-272-4994. The examiner can normally be reached on 8:00-5:00, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J Calvert can be reached on 571-272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS
12/13/2004



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